

## **Other Professional Services Service Standards**

**HRSA Definition:** Other Professional Services allow for the provision of professional and consultant services rendered by members of particular professions licensed and/or qualified to offer such services by local governing authorities.

**Limitations:** Legal services excludes criminal defense and class-action suits unless related to access to services eligible for funding under the Ryan White HIV/AIDS Program (RWHAP).

**Services:** Services may include:

- Legal services provided to and/or on behalf of the individual living with HIV and involving legal matters related to or arising from their HIV disease, including:
  - Assistance with public benefits such as Social Security Disability Insurance (SSDI);
  - Interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the RWHAP.
  - Preparation of:
    - Healthcare power of attorney;
    - Durable powers of attorney;
    - Living wills.
- Permanency planning to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them, including:
  - Social service counseling or legal counsel regarding the drafting of wills or deleting powers of attorney;
  - Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption.
- Income tax preparation services to assist clients in filing Federal tax returns that are required by the Affordable Care Act for all individuals receiving premium tax credits

### Service Standard and Performance Measure

The following Standards and Performance Measures are guides to improving healthcare outcomes for PLWH throughout the state of Texas within the Ryan White Part B and State Services Program.

Standard	Performance Measure
<p><b>Provision of Services – Legal Services:</b> Legal services are provided to and/or on behalf of the individual living with HIV and involving legal matters related to or arising from their HIV disease.</p> <p>Service Agreements will be developed and signed by both the attorney and the client. Clients will be kept informed and work together with legal staff to determine the objective(s) of the representation.</p> <p>Agency may provide the following types of legal representation, assistance, and education:</p> <p>Assistance with public benefits such as SSDI;</p> <p>HIV discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the RWHAP; and/or</p> <p>Preparation of:</p> <p>Healthcare power of attorney;</p> <p>Durable powers of attorney; and/or</p> <p>Living wills.</p> <p>Attorneys will document the following in the client’s record:</p> <p>A description of how the legal service is necessitated by the individual’s HIV status;</p> <p>Types of services provided; and</p> <p>Hours spent in the provision of such services.</p>	<p>Percentage of clients accessing legal services for assistance with public benefits, as applicable, with documentation in the client’s primary record of the public benefits assistance and outcomes.</p> <p>Percentage of clients accessing legal services for preparation of documents allowed, as applicable, in the client’s primary record with completion of healthcare POA, Durable POA, and/or living wills.</p>

<p><b>Provision of Services – Permanency Planning:</b> Permanency planning to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them.</p> <p>Services include:  Social service counseling or legal counsel regarding the drafting of wills or delegating powers of attorney; and/or  Preparation of custody options for legal dependents including standby guardianship, joint custody, or adoption.</p>	<p>Percentage of clients accessing permanency planning services have documented evidence in the client's primary record of services needed with outcomes.</p>
<p><b>Provision of Services – Income Tax Preparation:</b> Income tax preparation services to assist clients in filing Federal tax returns that are required by the Affordable Care Act for individuals receiving premium tax credits.</p> <p>Agencies must be licensed and/or qualified to offer income tax preparation services.</p>	<p>Percentage of clients accessing income tax preparation services with documented evidence of assistance and outcomes in the client's primary record.</p>
<p><b>Case Closure:</b> Cases may be closed when:</p> <ul style="list-style-type: none"> <li>• Legal or benefit issue has been resolved;</li> <li>• Client has not had direct program contact for three (3) months or as locally defined, as applicable;</li> <li>• Client is deceased;</li> <li>• Client voluntarily discontinues the service;</li> <li>• Client improperly uses the service;</li> <li>• Client has not complied with the client services agreement.</li> </ul> <p>If the case is closed for a reason other than objectives met, agency will notify clients about case closure in writing.</p>	<p>Percentage of clients with documented evidence of case closure, including reasons stated, in the client's primary record.</p>

## **References**

HRSA/HAB Division of Metropolitan HIV/AIDS Programs Program Monitoring Standards – Part A April 2013. p. 36-37.

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards – Program Part B April, 2013. p. 35-37.